

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DAYTON SUPERIOR CORPORATION : Case No: 3:11-cv-382
:
Plaintiff(s) : Judge Walter Herbert Rice
vs. :
POLYLOK, INC. :
:
Defendant(s)

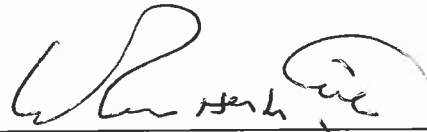
ORDER

The complaint in this action was filed on **October 28, 2011**. There is no record that service has been made upon the Defendants. Federal Rule of Civil Procedure 4(m) provided:

If a service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint and the party on whose behalf such service was required cannot show good cause why such service was not made within that period, the action shall be dismissed without prejudice upon the court's own initiative with notice to such party or upon motions.

The Court **ORDERS** that Plaintiff(s) show cause within ten (10) days of this date of this Order why this action should not be dismissed. The good cause showing must be supported with sworn affidavits. In addition, the Plaintiff(s) should file an appropriate motion under Federal Rule of Civil Procedure 6(b) to extend the time period of effecting service of process.

IT IS SO ORDERED.



WALTER HERBERT RICE, JUDGE
UNITED STATES DISTRICT COURT

Copies mailed to: All Counsel of Record